

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :
 :
 Plaintiff, :
 :
 v. : Crim. Action No. 99-62-1-JJF
 : Civil Action No. 04-261-JJF
 KAMORU SALAWU, :
 :
 Defendant. :
 :

O R D E R

WHEREAS, Defendant has filed a Motion For Stay Of
Deportation (D.I. 70);

WHEREAS, in response to the Court's Order, the Government
has filed a Response (D.I. 76) providing the Court with the
status of Defendant insofar as his deportation is concerned;

WHEREAS, the Bureau of Immigration and Customs Enforcement
("ICE") has lodged a detainer against Defendant, but deportation
proceedings have not yet begun, and therefore Defendant's motion
for stay of deportation is premature;

WHEREAS, to the extent that Defendant seeks a stay of
deportation pending resolution of his Motion To Recall The
Mandate by the Third Circuit, the Court notes that the Third
Circuit has denied his request; and therefore his motion is also
denied as moot;

NOW THEREFORE, IT IS HEREBY ORDERED this 8 day of July
2005 that Defendant's Motion For Stay Of Deportation is DENIED AS
MOOT to the extent it seeks a stay of deportation pending

resolution of his Motion To Recall the Mandate and DENIED to the extent it otherwise seeks a stay of deportation.


UNITED STATES DISTRICT JUDGE